

**Probate Committee
Judicial Conference of Indiana**

August 25, 2006

Minutes

1. Members present. The following members of the committee were present: David Bolk, Larry Bradley, Barbara Harcourt, Susan Orr Henderson, Phillip Houk, Wayne Lennington, and Peter Nemeth, Kevin Barton, Chair.
2. Staff present. Michelle C. Goodman provided the committee with staff assistance.
3. Approval of minutes. The Committee approved the minutes from the March 3, 2006 meeting.
4. Deskbook revisions. The Committee reviewed the recommended changes and additions to the Probate Deskbook. The Committee approved the amendments to Sections 1.22, 1.24, and 1.25 F-3 of the deskbook based on the provisions of SEA 114. The Committee also reviewed the draft trust and power of attorney sections for the deskbook. The Committee reviewed the material and made a few amendments. Staff was asked to format the drafts to fit the style of the deskbook. The final drafts of all revisions will be sent to the Committee by October 20th. The Committee will review the final drafts of the trust and power of attorney sections at the November 3rd meeting.
5. Report from State Bar Section meeting. Judge Barton distributed materials from the Probate Section meeting and provided an overview of some of the legislative proposals, including the increase of inheritance tax exemptions. Of particular concern, was the proposal to remove the requirement for notice of final accounting. The Committee discussed its role in the Legislative process. The Committee agreed to review the proposals from the State Bar and the Probate Code Study Commission for discussion at the next meeting.
6. Probate Code Study Commission. Michelle reported to the Committee that the Commission has not yet scheduled a meeting. As soon as notice of a meeting is received, it will be forwarded to the Committee.
7. Other business. The Committee discussed potential future projects. The Committee briefly discussed whether the fee guidelines and Model Rules need to be revised. The Committee agreed to review the current version of the fee guidelines for discussion at the next meeting. The Committee agreed that there was no longer a need for model rules now that all local rules are easily accessible.

The Committee also discussed the upcoming September Conference. The Committee was asked to host an early bird roundtable discussion. Judge Barton discussed potential topics with the Committee. Judge Nemeth also suggested displaying the electronic filing system used in his court. The Committee agreed that Judge Nemeth's suggestion be pursued first and if that was not a viable option, then a table discussion topic would be selected.
8. Next meeting. The next meeting is now scheduled for November 3, 2006 at 1:30 p.m. (Indianapolis time) at the Judicial Center.

Respectfully Submitted,

Michelle C. Goodman